



Substitute House Bill No. 5537

Public Act No. 08-83

AN ACT CONCERNING CONSTRUCTION SAFETY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 31-53b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2009*):

(a) Each contract for a public works project entered into on or after July 1, [2007, for the construction, remodeling, refinishing, refurbishing, rehabilitation, alteration or repair of any public building project] 2009, by the state or any of its agents, or by any political subdivision of the state or any of its agents, [where the total cost of all work to be performed by all contractors and subcontractors in connection with the contract is at least one hundred thousand dollars] described in subsection (g) of section 31-53, shall contain a provision requiring that [, not later than thirty days after the date such contract is awarded,] each contractor furnish proof [to the Labor Commissioner that all employees performing manual labor] with the weekly certified payroll form for the first week each employee begins work on such project that any person performing the work of a mechanic, laborer or worker pursuant to the classifications of labor under section 31-53 on [or in] such public [building] works project, pursuant to such contract, [have] has completed a course of at least ten hours in duration in construction safety and health approved by the federal Occupational

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Safety and Health Administration or, has completed a new miner training program approved by the Federal Mine Safety and Health Administration in accordance with 30 CFR 48 or, in the case of telecommunications employees, [have] has completed at least ten hours of training in accordance with 29 CFR 1910.268.

(b) Any [employee] person required to complete a [construction safety and health course required] course or program under subsection (a) of this section who has not completed the course or program shall be subject to removal from the worksite if the [employee] person does not provide documentation of having completed such course or program by the fifteenth day after the date the [employee] person is found to be in noncompliance. The Labor Commissioner or said commissioner's designee shall enforce this section.

(c) Not later than January 1, [2007] 2009, the Labor Commissioner shall adopt regulations, in accordance with the provisions of chapter 54, to implement the provisions of subsections (a) and (b) of this section. Such regulations shall require that the ten-hour construction safety and health courses required under subsection (a) of this section be conducted in accordance with federal Occupational Safety and Health Administration Training Institute standards, or in accordance with Federal Mine Safety and Health Administration Standards or in accordance with 29 CFR 1910.268, as appropriate. The Labor Commissioner shall accept as sufficient proof of compliance with the provisions of subsection (a) or (b) of this section a student course completion card issued by the federal Occupational Safety and Health Administration Training Institute, or such other proof of compliance said commissioner deems appropriate, dated no earlier than five years before the commencement date of such public works project.

[(d) For the purposes of this section, "public building" means a structure, paid for in whole or in part with state funds, within a roof and within exterior walls or fire walls, designed for the housing,

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shelter, enclosure and support or employment of people, animals or property of any kind, including, but not limited to, sewage treatment plants and water treatment plants. "Public building" does not include site work, roads or bridges, rail lines, parking lots or underground water, sewer or drainage systems including pump houses or other utility systems.]

(d) This section shall not apply to employees of public service companies, as defined in section 16-1 of the 2008 supplement to the general statutes, or drivers of commercial motor vehicles driving the vehicle on the public works project and delivering or picking up cargo from public works projects provided they perform no labor relating to the project other than the loading and unloading of their cargo.

Approved May 27, 2008